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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

13 Cr. 315 (WHP)

5 FREDERIC CILINS,

6 Defendant.

7 -----x
8 February 25, 2014
9 10:30 a.m.

10 Before:

11 HON. PAUL A. CROTTY

District Judge

12
13 APPEARANCES

14 PREET BHARARA

United States Attorney for the
Southern District of New York

15 BY: TAREK HELOU

16 ELISHA KOBRE

Assistant United States Attorneys

17 WILLIAM SCHWARTZ

18 ANNIKA GOLDMAN

Attorneys for Defendant

19 ALSO PRESENT: ISABELLE DUCHESNE, French Interpreter
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(Case called)

(In open court)

MR. HELOU: Good morning. Tarek Helou for the United States, and I am here with assistant U.S. attorney Elisha Kobre.

THE COURT: Mr. Helou, how are you. Mr. Kobre, nice to see you.

MR. KOBRE: Nice to see you, Judge.

MR. SCHWARTZ: Good morning, your Honor. William Schwartz and Annika Goldman from Cooley LLP for the defendant.

THE COURT: Mr. Schwartz and Ms. Goldman.

Mr. Cilins, can you understand what we're saying?

THE DEFENDANT: Yes.

THE COURT: I understand the purpose today, Mr. Schwartz, is to arraign Mr. Cilins on a superseding indictment.

MR. SCHWARTZ: Yes, it is, your Honor.

THE COURT: OK. Mr. Cilins, have you seen the new superseding indictment?

THE DEFENDANT: Yes, your Honor.

THE COURT: Have you had a chance to review it with with Ms. Goldman and Mr. Schwartz?

THE DEFENDANT: Yes.

THE COURT: Do you want me to read it to you, or do you waive the reading?

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1 THE DEFENDANT: It's not necessary.

2 THE COURT: All right, you will waive the reading.

3 And do you want to enter a plea now, Mr. Cilins?

4 THE DEFENDANT: Not guilty.

5 THE COURT: A plea of not guilty will be entered.

6 All right. Now, I should have said that I'm here
7 because Judge Pauley is not feeling well today, but he asked me
8 to arraign Mr. Cilins on a superseding indictment and then TO
9 remind you of the schedule that's pending, and set some new
10 dates for any motions you want to make.

11 The government is to provide its list of exhibits on
12 March 3 and 3500 material and list of witnesses to defense
13 counsel on March 17. That's been previously established.

14 Jury selection and trial is scheduled for March 31,
15 2014. That schedule is already established. I didn't repeat
16 the dates that have passed on the existing schedule.

17 Defense counsel has indicated to Judge Pauley that he
18 wants to file a motion to dismiss Count One of the indictment.
19 Judge Pauley sets the following schedule: If the defense wants
20 to move to dismiss, they must do so by March 4, 2014. The
21 government response is March 11, and any reply by the 14th.

22 Judge Pauley sets the following schedule for proposed
23 voir dire along with joint requests to charge: To be filed by
24 March 21. The final pretrial conference will be held on March
25 29, 2014 at 12 noon. Trial will commence on March 31, 2014 at

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1 10 a.m.

2 Mr. Helou and Mr. Kobre, is there any other business
3 to transact?

4 MR. KOBRE: Yes, your Honor, just briefly. Judge
5 Pauley had excluded time under the Speedy Trial Act under the
6 underlying indictment until the date of trial, March 31, and we
7 would ask that time be excluded under the superseding
8 indictment as well until that date.

9 THE COURT: Mr. Schwartz?

10 MR. SCHWARTZ: We have no objection, your Honor.

11 THE COURT: All right. The time on the superseding
12 indictment between now and the trial of March 31 will be
13 excluded to allow for time for additional preparation and any
14 motions that Mr. Schwartz wants to bring, so time between now
15 and the 31st of March is excluded.

16 Mr. Schwartz, do you want to raise anything?
17 Ms. Goldman?

18 MR. SCHWARTZ: No, your Honor.

19 THE COURT: OK. Thank you very much.

20 MR. HELOU: Thank you, your Honor.

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